

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

Bail Appl..No. 394 of 2007()

CMP.9692/2006 of J.M.F.C.-II,KOTTARAKKARA
Crime No.104/06 of Chadayamangalam Excise Range
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: PETITIONER/ACCUSED:

SOMARAJAN @ KUTTY MUTTY SOMAN,
S/O. AYYAPPAN, AYACODU PUTHEN VEEDU,
KUDAVETTOOR MURI, VELIYAM, KOTTARAKKARA.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS: COMPLAINANTS:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
 2. EXCISE INSPECTOR,
EXCISE RANGE, CHADAYAMANGALAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.Ramkumar, J.

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B.A.No. 394 of 2007

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Dated this the 24th day of January, 2007.

ORDER

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.104 of 2006 of Chadayamangalam Excise Range for offences punishable under Sec.8(1) and (2) of the Abkari Act for having been found in possession of 20 litres of illicit arrack on 6.12.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Kottarakara and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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